



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/243,108	02/02/1999	JUDITH E. SCHWABE	SUN-P3730	2013

7590

12/23/2002

David B. Ritchie
Thelen Reid & Priest LLP
P O Box 640640
San Jose, CA 95164-0640

EXAMINER

CHAVIS, JOHN Q

ART UNIT

PAPER NUMBER

2124

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/243,108

Applicant(s)

SCHWABE ET AL.

Examiner

John Q. Chavis

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the corresp ndence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2002 and 28 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-81 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-81 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 22.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-81 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilkinson et al. (6,308,317).

Claims

Wilkinson

1. A method for downloading code to a resource constrained computer, the code being separable into at least one package having at least one referenceable item, comprising:

forming the package;

forming a mapping of the referenceable item to a corresponding token; and

See the title, abstract, col.1 line 62-col. 2 line 19. Identification, security, and linking information which enables multiple applications to cooperate provides for at least one referenceable item, col. 3 lines 3-30 and col. 3 line 59-col. 4 line 18.

See col. 10 line 52-col. 11 line 58.

See col. 5 lines 41-56.

providing the package and the mapping.

See again col. 11 lines 49-58 and col. 11 line 59-col. 12 line 14.

2. A method for linking code downloaded to a resource constrained computer, the code being separable into at least one package having at least one referenceable item, comprising:
code

See the rejection above of claim 1. The mapping function inherently provides for the "linking". Packaging also provides linking. Also, see col. 11 lines 16-23 and col. 11 lines 49-58, which "gathers the maps and modified byte

(package) for the classes...places them as aggregates and generates a **card class file** (via linking).

receiving the package;

" " " " "

receiving a mapping of the referenceable item to a corresponding token; and

" " " " "

linking the package and the mapping.

" " " " "

3. A method for linking code downloaded to a computer comprising a first package that includes a mapping of tokens to externally referenceable items, the method comprising:

See the rejection above of claim 2 and also see col. 5 line 31-col. 6 line 17.

receiving a second package comprising at least one reference to an item in said first package, wherein said reference is represented by one or more tokens; and

col. 6 lines 9-17.

linking said second package to said first package by resolving said one or more tokens.

col. 5 lines 41-57.

4. A method for constructing an image of a first package of code on a computer the code being separable into at least one package having at least one reference to an item in a second package of code, the method comprising:

See the rejection of claim 3 above.

receiving a mapping of said item to at least one corresponding token;

" " " " "

replacing said at least one reference with
said at least one corresponding token; and

“ “ “ “ “

forming said package.

“ “ “ “ “

The applicant mentions two packages above,
However, the package being formed is
interpreted as the second package since the
image construction is directed toward the
second package.

Claims 5, and 55-59 are rejected via claim 2. Claims 55-59 consists of merely the
Apparatus for implementing the methods of claim 2, which is indicated via figures 1, 3, 12-14
and 19-20.

As per claims 6-15 and 28-32, see the rejection of claims 1 and 2. In reference to the
tokens belonging to the same token types (claims 6 and 11), see (col. 5 lines 41-57) that the
first and/or second application **may** have class file **format(s)**, which implies that they may be
the same type or a different type. The image portion is taught via the multiple packages of
claim 2. The object targets comprises a class/package (see again claim 2) and inherently
okens become class/package tokens (re claims 8 and 13). In reference to the various tokens
of claims 9-10 and 14-15, see the Wilkinson's references in col. 5 lines 41-57. Claims 28-32
merely represents the program storage device utilizing the method of claim 1, see the rejection
of claim 55, *supra*.

The features of claim 16 are taught via Wilkinson's interpreting (translating) function,
see the rejection of claim 4. The features of claims 17-27 are standard to object oriented
programming and therefore, inherent to Wilkinson's system which utilizes the Java
programming language, col. 5 lines 10-13.

As per claims 33-54 and 60-81, see the rejection of claims 6-27.

Art Unit: 2124

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Q. Chavis whose telephone number is 703-305-9665. The examiner can normally be reached on 8:30 am-5:00 pm Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on 703-305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-3900.



Jqc

December 13, 2002



John Chavis
Patent Examiner